

Nicole Lavallee (SBN 165755)  
Kristin J. Moody (SBN 206326)  
**BERMAN TABACCO**  
44 Montgomery Street, Suite 650  
San Francisco, CA 94104  
Telephone: (415) 433-3200  
Facsimile: (415) 433-6382  
Email: nlavallee@bermantabacco.com  
kmoody@bermantabacco.com

Shannon L. Hopkins  
Stephanie A. Bartone  
**LEVI & KORSINSKY, LLP**  
1111 Summer Street, Suite 304  
Stamford, CT 06901  
Telephone: (203) 992-4523  
Facsimile: (212) 363-7171  
Email: shopkins@zlk.com  
sbartone@zlk.com

*Counsel for the Lead Plaintiff Plymouth County Group  
and Co-Lead Counsel for the Class*

[Additional Counsel on Signature Page]

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

IN RE AQUA METALS, INC. SECURITIES  
LITIGATION

) Case No.: 4:17-cv-07142-HSG

) **CLASS ACTION**

) **JOINT STIPULATION AND  
ORDER RE EXTENSION OF TIME TO  
FILE MOTION FOR PRELIMINARY  
APPROVAL OF SETTLEMENT**

This document Relates to:  
All Actions.

) Ctrm: 2, 4<sup>th</sup> Floor  
) Judge: Hon. Haywood S. Gilliam, Jr.

1 Court-appointed Lead Plaintiff, the Plymouth County Group (consisting of Plymouth County  
2 Retirement Association, Denis Taillefer and his private company, 1103371 Ontario Ltd.) (“Plaintiff”),  
3 and Defendants Aqua Metals, Inc., Thomas Murphy, Selwyn Mould and Stephen R. Clarke  
4 (“Defendants,” with Plaintiff, the “Parties”), hereby stipulate and agree as follows.

5 WHEREAS, on May 27, 2021, the Parties filed a joint stipulation with the Court stating  
6 they reached an agreement in principle to resolve all issues and claims involved in this litigation  
7 and requested a stay of the action for Plaintiff to file a motion for preliminary approval of  
8 settlement (ECF No. 160);

9 WHEREAS, on May 28, 2021, this Court entered an order vacating all dates currently set  
10 in this Action, staying all proceedings for forty-five (45) days, and setting a date for the motion  
11 for preliminary approval to be filed within thirty (30) days (ECF No.161);

12 WHEREAS, pursuant to the Court’s May 28, 2021 Order, the Plaintiff must file its motion  
13 for preliminary approval of settlement by June 28, 2021;

14 WHEREAS, on June 2, 2021, Plaintiff circulated a draft Stipulation of Settlement to  
15 Defendants for review;

16 WHEREAS, the parties have agreed to all substantive terms, however, Defendants believe  
17 they may need additional time to review and get final agreement on the Stipulation of Settlement;

18 WHEREAS, Plaintiff is unable to file the motion for preliminary approval of settlement  
19 until the Stipulation of Settlement has been executed;

20 WHEREAS, the parties have met and conferred and have agreed that Plaintiff shall have  
21 an additional week, to July 6, 2021 (July 5, 2021 is a holiday), to file its motion for preliminary  
22 approval of settlement.

23 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the parties  
24 hereto, that:

25 1. Lead Plaintiff shall file its motion for preliminary approval no later than July 6, 2021.  
26 IT IS SO STIPULATED.

1 DATED: June 25, 2021

Respectfully submitted,

2 **BERMAN TABACCO**

3 By: /s/ Kristin J. Moody  
4 Nicole Lavallee  
5 Kristin J. Moody  
6 44 Montgomery Street, Suite 650  
7 San Francisco, CA 94104  
8 Telephone: (415) 433-3200  
9 Facsimile: (415) 433-6382  
10 Email: nlavallee@bermantabacco.com  
11 kmoody@bermantabacco.com

12 **LEVI & KORSINSKY, LLP**

13 Shannon L. Hopkins  
14 Stephanie A. Bartone  
15 1111 Summer Street, Suite 403  
16 Stamford, CT 06905  
17 Telephone: (203) 992-4523  
18 Facsimile: (212) 363-7171  
19 Email: shopkins@zlk.com  
20 sbartone@zlk.com

21 *Counsel for the Lead Plaintiff Plymouth County*  
22 *Group and Co-Lead Counsel for the Class*

1 DATED: June 25, 2021

**GREENBERG TRAURIG, LLP**

2  
3 By: /s/ Robert A. Horowitz

4 Michael R. Hogue  
5 4 Embarcadero Center, Suite 3000  
6 San Francisco, CA 94111  
7 Telephone: (415) 655-1300  
8 Facsimile: (415) 707-2010  
9 Email: hoguem@gtlaw.com

10 Robert A. Horowitz  
11 200 Park Avenue  
12 New York, NY 10166  
13 Telephone: (212) 801-2194  
14 Email: horowitzr@gtlaw.com

15 *Counsel for Defendants Aqua Metals, Inc.,*  
16 *Selwyn Mould, and Thomas Murphy*

**WILSON SONSINI GOODRICH & ROSATI**

17 By: /s/ Dylan Grace Savage

18 Steven M. Schatz  
19 Dylan Grace Savage  
20 650 Page Mill Road  
21 Palo Alto, CA 94304-1050  
22 Telephone: (650) 493-9300  
23 Facsimile: (650) 565-5100  
24 Email: sschatz@wsgr.com  
25 dsavage@wsgr.com

26 *Counsel for Defendant Stephen R. Clarke*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**E-FILING ATTESTATION**

I, Kristin J. Moody, am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that Robert A. Horowitz and Dylan Grace Savage have concurred in this filing.

*/s/ Kristin J. Moody*

---

Kristin J. Moody

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27


ORDER

GOOD CAUSE HAVING BEEN SHOWN, it is hereby ordered that:

1. Lead Plaintiff shall file its motion for preliminary approval of settlement no later than July 6, 2021.

**IT IS SO ORDERED.**

DATED: 6/28/2021

  
HON. HAYWOOD S. GILLIAM, JR.  
UNITED STATES DISTRICT JUDGE